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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,635	02/15/2002	Masayuki Inai	KOT-0039	5481
7590 CANTOR COLBURN LLP 55 Griffin Road South Bloomfield, CT 06002			EXAMINER SHERR, CRISTINA O	
			ART UNIT 3621	PAPER NUMBER
			MAIL DATE 09/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/077,635	Applicant(s) INAI ET AL.	
	Examiner Cristina Owen Sherr	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/22/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4,6-8,11-20,27-29 and 34-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-4, 6-8, 11-20, 27-29, 34-37 and 39-40 is/are allowed.
- 6) ☒ Claim(s) 38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to applicant's amendment filed June 22, 2007. Claims 19, 27, 28, 29, 38, and 39 have been amended. Claims 2-4, 6-8, 11-20, 27-29, and 34-40 remain pending.

Response to Arguments

2. Applicant's arguments, see applicant's remarks, filed June 22, 2007, with respect to the section 101 rejection of claim 38, as currently amended, have been fully considered and are persuasive. The section 101 rejection of claim 38 has been withdrawn.

3. Applicant's arguments, see applicant's remarks, filed June 22, 2007, with respect to the section 112 rejection of claims 38 and 39 and their dependent claims 27-29, given the amendments to claims 27, 28, 29, 38, and 39, have been fully considered and are persuasive. The section 112 rejection of claim 38 and 39 and their dependent claims 27-29 has been withdrawn.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Onodera et al (US 6700677) or Holmes et al (US 6119108) in view of Auerbach et al (US 5673316) and Shima (US 6369909).

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6. Onodera (See, e.g., abstract, Figs. 1, 4 and 5, Col. 1, lines 40-65, claims 1-8) or Holmes (See, e.g., abstract, Figs. 1 and 2, Col. 2, lines 5-65, Col. 3, lines 10-50, claims 1-46) discloses printing systems including a server that protects copyright and includes encryption control substantially as claimed. Auerbach (See, e.g., Fig. 2, Col. 1, lines 50-65, Col. 5-40, claims 1-8) shows encryption of document parts. Shima (See Figs. 14, 19, Col. 6, lines 5-65, and Col. 21, lines 5-20) shows security level queries and control of network printers as being old and obvious (Note Epson assignee).

7. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Onodera or Holmes because the encryption control of Auerbach provides a much finer level of control of an electronic document because it caters to a multiplicity of users that may not need the entire document and therefore expands the market and provides greater levels of revenue to the copyright holder.

Allowable Subject Matter

8. Regarding independent claim 34, the primary references, Onodera et al (US 6,700,766) or Holmes et al (US 6,119,108) and Auerbach et al (US 5,673,316) and Shima (US 6,369,909) disclose as previously discussed. These references do not, however, alone or in combination disclose wherein the server comprises a comparison table for recording a copyright protection level of the data and a copyright protection level of the printer client with respect to each other and wherein the specifying section specifies the data to be sent with references to the comparison table. Yet even if the missing claimed elements were found in a reasonable number of references, a person

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of ordinary skill in the art at the time the invention was made would *not* have been motivated to include these missing elements in an embodiment in the, Onodera, Holmes, Auerbach and Shima disclosures. Thus, independent claim 34 and its dependent claims 2-4, 6-8, 11-20, and 35-37 are deemed allowable.

9. Regarding independent claim 40, the primary references, Onodera et al (US 6,700,766) or Holmes et al (US 6,119,108) and Auerbach et al (US 5,673,316) and Shima (US 6,369,909) disclose as previously discussed. These references do not, however, alone or in combination disclose wherein the server comprises a comparison table for recording a copyright protection level of the data and a copyright protection level of the printer client with respect to each other and wherein the specifying section specifies the data to be sent with references to the comparison table. Yet even if the missing claimed elements were found in a reasonable number of references, a person of ordinary skill in the art at the time the invention was made would *not* have been motivated to include these missing elements in an embodiment in the, Onodera, Holmes, Auerbach and Shima disclosures. Thus, independent claim 40 is deemed allowable.

10. Regarding independent claim 39, the primary references, Onodera et al (US 6,700,766) or Holmes et al (US 6,119,108) and Auerbach et al (US 5,673,316) and Shima (US 6,369,909) disclose as previously discussed. These references do not, however, alone or in combination disclose wherein the server comprises a comparison table for recording a copyright protection level of the data and a copyright protection level of the printer client with respect to each other and wherein the specifying section

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specifies the data to be sent with references to the comparison table. Yet even if the missing claimed elements were found in a reasonable number of references, a person of ordinary skill in the art at the time the invention was made would *not* have been motivated to include these missing elements in an embodiment in the, Onodera, Holmes, Auerbach and Shima disclosures. Thus, independent claim 39 and its dependent claims 27-29 are deemed allowable.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

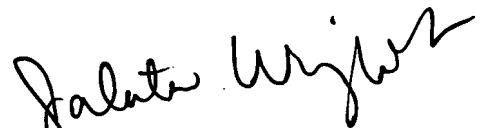
12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cristina Owen Sherr
Patent Examiner, AU 3621



JALATEE WORJLOH
PRIMARY EXAMINER